IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 384/2007

MAHENDRA SAINI Vs. STATE OF RAJASTHAN

DATE: 23.04.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. S.R. Surana for the accused-petitioner.
Mr. B.S. Chhaba, Public Prosecutor for the State.

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The present criminal revision petition under Section 397/401 Cr.P.C. is preferred by the accused-petitioner against the order dated 10.04.2007 passed by the Additional Sessions Judge (Fast Track) No.2, Jaipur City, Jaipur in Sessions Case No. 16/2005 arising out of FIR No. 1/2004.

Upon careful perusal of the impugned order dated 10.04.2007, it appears that the application of the accused-petitioner under Section 311 Cr.P.C. has been rejected on the ground that the petitioner deliberately wants to delay the proceedings to cross examine PW5 Mahendra Singh and PW6 Babulal.

Having considered the rival submissions of the respective parties, in the interest of justice, I deem it proper to provide one chance to the accused-

petitioner to cross examine PW5 Mahendra Singh and PW6 Babulal on the next date fixed by the trial Court. The petitioner can only cross examine PW5 and PW6 on the date fixed and in case he failed to cross examine PW5 and PW6 on the date fixed, the impugned order dated 10.04.2007 passed by the Additional Sessions Judge (Fast Track) No.2, Jaipur City, Jaipur shall remain in force.

With the observations, the revision petition stands disposed of.

(K.S. RATHORE),J.

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